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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,375	04/08/2004	Kyung Ku Kim	2080-3244	1606
35884 7590 11/18/2008 LEE, HONG, DEGERMAN, KANG & WAIMEY 660 S. FIGUEROA STREET Suite 2300 LOS ANGELES, CA 90017				
EXAMINER				
FINEMAN, LEE A				
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2872				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/821,375

Applicant(s)

KIM, KYUNG KU

Examiner

LEE FINEMAN

Art Unit

2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6,8 and 16-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-6,8 and 16-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-089)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This Office Action is in response to remarks filed 1 August 2008. Claims 1, 3-6, 8 and 16-23 are pending.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-6, 8 and 16-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimamura et al., US 6,808,773 (henceforth Shimamura) in view of Watanabe, WO 03/040782 A1 and Kamiya et al., WO 02/066570 A1 (henceforth Kamiya). **Note:** US 2004/0076835 A1 (Watanabe) and US 2004/0076768 A1 (Kamiya et al.) are the English equivalents of the prior art and will be referred to in the rejection.

Regarding claims 1, 3 and 4, Shimamura discloses in fig. 5 a front filter of a plasma display panel, the front filter comprising: a frame adhesive (12c and 22) located between an antireflection layer (20a) and an electromagnetic shielding layer (14, 16a) of the front filter, having a transparent adhesive (12c) formed at an active display area of the plasma display panel and a black frame (22) formed at a nonactive display area surrounding the active display area (fig. 5); wherein the black frame (22) defines a region within which the transparent adhesive is located (fig. 5), wherein the region defined by the black frame corresponds to an active display area of the plasma display panel (fig. 5). Shimamura discloses the claimed invention except for

wherein the black frame is a black adhesive; wherein the transparent adhesive and the black adhesive do not overlap; wherein the black adhesive is being formed by mixing the transparent adhesive with a black material; and wherein the black adhesive is 0.05 ~50% black material.

Watanabe teaches a display with a front filter (see fig. 6) wherein the frame adhesive (33 and 34) includes a black frame (33) and a transparent adhesive (34) formed at an active display area of the display panel (page 7, section [0071], line 5); and wherein the transparent adhesive and the black frame do not overlap (fig. 6). It would have been obvious to one of ordinary skill in the art at the time the invention was made configure the frame adhesive of Shimamura as taught by Watanabe to provide a more compact system. Kamiya further teaches in figs. 4 and 5 using a black adhesive frame (12_B) in a display panel wherein the black frame is also a black adhesive and wherein the black adhesive is being formed by mixing the transparent adhesive with a black material (page 1, section [0019]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the black frame portion of Shimamura with the black adhesive frame of Kamiya to provide an effective screen frame while also providing better adhesion between layers (Kamiya, page 2, section [0021], lines 8-12). Further, regarding claim 4, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the black material 0.05 ~50% of the mixture, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering an optimum value or working ranges involves only routine skill in the art. One would have been motivated to make the black material 0.05 ~50% of the mixture for the purpose of supplying the correct opacity to the frame. *In re Aller*, 220 F.2d 454, 456 105 USPQ 233, 235.

Regarding claims 5-6 and 16-20, Shimamura in view of Watanabe and Kamiya as set forth above further disclose wherein the front filter is attached to an upper glass substrate of a plasma display panel (not shown, column 1, lines 34-35); has a near infrared shielding layer (18), and comprises a plurality of adhesives (12c-f) formed between the near infrared shielding layer (18), the electromagnetic shielding layer (14, 16a) and the antireflection layer (20a), wherein the black frame adhesive defines an active display area of the plasma display panel (see fig. 5 of Shimamura); wherein the frame adhesive is formed on the electromagnetic shielding layer (see fig. 5 of Shimamura); wherein a transparent adhesive (12c) is formed at an area that is overlapped with the active display area (fig. 5); and a base film (10).

Regarding claim 8, Shimamura further discloses a fabrication method of a front filter of a plasma display panel comprising: preparing a base film (10); forming a black frame (22) at a nonactive display area of the plasma display panel (fig. 5), wherein the nonactive display area is positioned on the base film (fig. 5); and forming a transparent adhesive (12c) at an active display area of the plasma display panel, wherein the active display area is positioned on the base film (fig. 5), and wherein the black frame and the transparent adhesive are located between an antireflection layer (20a) and an electromagnetic shielding layer (14, 16a) of the front filter (fig. 5); and wherein the black frame (22) defines a region within which the transparent adhesive is located (fig. 5), wherein the region defined by the black frame corresponds to an active display area of the plasma display panel (fig. 5). Shimamura discloses the claimed invention except for wherein the black frame is a black adhesive and wherein the transparent adhesive and the black adhesive do not overlap (fig. 6). Watanabe teaches a display with a front filter (see fig. 6) wherein the frame adhesive (33 and 34) includes a black frame (33) and a transparent adhesive

(34) formed at an active display area of the display panel (page 7, section [0071], line 5); and wherein the transparent adhesive and the black frame do not overlap (fig. 6). It would have been obvious to one of ordinary skill in the art at the time the invention was made configure the frame adhesive of Shimamura as taught by Watanabe to provide a more compact system. Kamiya et al. further teaches in figs. 4 and 5 using a black adhesive frame (12_B) in a display panel wherein the black frame is also a black adhesive (page 1, section [0019]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the black frame portion of Shimamura with the black adhesive frame of Kamiya to provide an effective screen frame while also providing better adhesion between layers (Kamiya, page 2, section [0021], lines 8-12).

Regarding claim 21, Shimamura further disclose wherein the nonactive display area is positioned on an outer area of the active display area (fig. 5).

Regarding claim 22, Shimamura in view of Watanabe and Kamiya further disclose wherein the black adhesives are formed by one of a printing method, a laminating method and a pressing method (pressing method, page 2, section [0021] of Kamiya).

Regarding claim 23, Shimamura further disclose wherein the transparent adhesives are formed by one of a printing method, a laminating method and a pressing method (column 6, lines 60-65).

Response to Arguments

3. Applicant's arguments filed 1 August 2008 have been fully considered but they are not persuasive.

First, the applicant incorrectly states on page 5, paragraph 6 that “the examiner has indicated that Shimamura does not teach “the region defined by the black adhesive corresponds to an active display area of the plasma display panel” (see, OA, p.3)” and that Watanabe is relied upon to teach this feature. What the office action states is

“Shimamura discloses in fig. 5 a front filter of a plasma display panel, the front filter comprising: ... wherein the region defined by the black adhesive [sic frame] corresponds to an active display area of the plasma display panel (fig. 5). Shimamura discloses the claimed invention except for wherein the black frame is a black adhesive; wherein the transparent adhesive and the black adhesive do not overlap; wherein the black adhesive is being formed by mixing the transparent adhesive with a black material; and wherein the black adhesive is 0.05 -50% black material.”

The examiner actually states that Shimamura already teaches the black frame corresponds to an active display area of the plasma display panel (fig. 5). Watanabe is relied upon to teach wherein the transparent adhesive and the black adhesive do not overlap and Kamiya is relied upon to teach wherein the black frame is also a black adhesive. Therefore, applicant’s arguments regarding Watanabe are moot.

Applicant further argues that one would not be motivated to use the black adhesive tape of Kamiya because the process to apply the tape **may be** incompatible with the processes of manufacturing a plasma display panel and the thicker construction would teach away from thinner plasma display panels. The examiner respectfully disagrees and points out that the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). The examiner would also like to emphasize that the

rejection is based on the teaching of a black adhesive as a black frame (12B, Kamiya). One of ordinary skill would know how to apply the black adhesive to a surface in the filter/display of Shimamura in the same way it can be applied to the tape substrate of Kamiya. Further, as Shimamura already includes processes which apply adhesives of appropriate thickness is would be compatible and the rejection remains appropriate.

Finally, in response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the motivation to replace the black frame portion of Shimamura with the black adhesive frame of Kamiya to provide an effective screen frame while also providing better adhesion between layers is found in Kamiya on page 2, section [0021], lines 8-12.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEE FINEMAN whose telephone number is (571)272-2313. The examiner can normally be reached on Monday - Friday 8:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephone B. Allen can be reached on (571) 272-2434. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lee Fineman/
Examiner, Art Unit 2872
13 November 2008

/Stephone B. Allen/
Supervisory Patent Examiner
Art Unit 2872